

ORDINANCE _____

AN ORDINANCE relating to land use and zoning; amending Seattle Municipal Code Section. 23.34.079; and amending the Official Land Use Map to rezone areas within the Capitol Hill Urban Center Village from Lowrise 3 (L3) and Lowrise 3/Residential Commercial (L3/RC) to Neighborhood Commercial/Residential with a 40' height limit (NC3/R 40') and Midrise (MR) and Midrise/Residential Commercial (MR/RC) zones to Neighborhood Commercial/Residential with a 65' height limit (NC 3/R 65') zones and to change the height limit from 40' to 65' for Neighborhood Commercial 3 (NC3 40') zoned areas abutting Broadway East generally between East Roy and East Pine Streets.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Attached to this ordinance is a zoning map, identified as Exhibit A and incorporated herein by this reference. The Official Land Use Map, Section 23.32.016, Plats 36E and 40E, Pages 103 and 111, is hereby amended to change the designated areas as shown on Exhibit A.

Section 2. Section 23.34.079 of the Seattle Municipal Code, which section was adopted by Ordinance 117430, is amended as follows:

23.34.079 Neighborhood Commercial 3/Residential (NC3/R) designation.

A. Function. An area designated as NC3/R functions as an NC3 zone while maintaining existing residential uses and/or promoting increased residential development. These areas provide locations for moderate density residential development in single purpose and mixed use structures; limit single purpose commercial development; and encourage commercial storefronts built to the front property line.

B. NC3 zoned areas or areas that meet NC3 criteria may be ~~((designed))~~ designated NC3/R only under the following conditions:

1. ~~((a.))~~ Areas located inside urban center villages and the village core of hub urban villages, or

1 ((b-)) 2. Areas in a residential urban village characterized by a concentration of
2 small retail sales and service uses and residential support services, where it is desirable to
3 promote high density residential uses, ~~((; and~~

4 ~~2. The NC3/R designation is provided for in a neighborhood plan~~
5 ~~adopted or amended by the City Council after January 1, 1995.))~~

6 Section 3. Severability. The several provisions of this ordinance are declared to be
7 separate and severable and the invalidity of any clause, sentence, paragraph, subdivision, section,
8 subsection, or portion of this ordinance, or the invalidity of the application thereof to any person
9 or circumstances shall not affect the validity of the remainder of this ordinance or the validity of
10 its application to other persons or circumstances.
11

12 Section 4. This ordinance shall take effect and be in force thirty (30) days from and after
13 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
14 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.
15

16 Passed by the City Council the ____ day of _____, 2005, and signed by me in
17 open session in authentication of its passage this ____ day of _____, 2005.
18

19
20 _____
21 President _____ of the City Council

22 Approved by me this ____ day of _____, 2005.
23

24 _____
25 Gregory J. Nickels, Mayor

26 Filed by me this ____ day of _____, 2005.
27

City Clerk

(Seal)

Exhibit A: Broadway Area Rezones

ExhibitA

